

IN THE SENATE

SENATE BILL NO. 1043

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES AND IDENTIFICATION CARDS;  
AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT A LICENSEE WHO IS  
A VETERAN MAY REQUEST THAT HIS OR HER STATUS AS SUCH BE DESIGNATED ON  
HIS OR HER DRIVER'S LICENSE AND TO ESTABLISH PROVISIONS GOVERNING SUCH  
DESIGNATION; AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE THAT A  
PERSON WHO IS A VETERAN MAY REQUEST THAT HIS OR HER STATUS AS SUCH BE DES-  
IGNATED ON AN IDENTIFICATION CARD AND TO ESTABLISH PROVISIONS GOVERNING  
SUCH DESIGNATION; AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-315, Idaho Code, be, and the same is hereby  
amended to read as follows:

49-315. LICENSES ISSUED TO DRIVERS. (1) The department shall issue  
to every qualifying applicant a distinguishing driver's license as applied  
for, which shall bear a distinguishing number assigned to the licensee, the  
full name, date of birth, Idaho residence address, sex, weight, height, eye  
color, hair color, color photograph, name of this state, date of issuance,  
date of expiration, license class, endorsements, restrictions, and the ap-  
plicant's signature. If an applicant has submitted an application pursuant  
to the provisions of chapter 58, title 19, Idaho Code, then the applicant's  
driver's license shall contain his or her alternative Idaho mailing address  
in place of his or her Idaho residence address. Driver's licenses for per-  
sons under eighteen (18) years of age shall include a notation "under 18  
until (month, day, year)," and driver's licenses for persons eighteen (18)  
years of age to twenty-one (21) years of age shall include a notation "under  
21 until (month, day, year)." No driver's license shall be valid until it has  
been signed on the signature line of the license by the licensee.

(2) Every driver's license shall bear a color photograph of the li-  
censee, which shall be taken by the examiner at the time the application is  
made. The photograph shall be taken without headgear or other clothing or  
device that disguises or otherwise conceals the face or head of the appli-  
cant. A waiver may be granted by the department allowing the applicant to  
wear headgear or other head covering for medical, religious or safety pur-  
poses so long as the face is not disguised or otherwise concealed. At the  
request of the applicant, a driver's license may contain a statement or indi-  
cation of the medical condition of the licensee.

(3) The department shall notify the commercial driver license infor-  
mation system that a class A, B or C driver's license has been issued as re-  
quired by 49 CFR parts 383 and 384.

(4) A licensee applying for a hazardous material endorsement on a  
driver's license shall have a security background records check and shall  
receive clearance from the federal transportation security administration

1 before the endorsement can be issued, renewed or transferred as required  
 2 by 49 CFR part 383, subject to procedures established by the federal trans-  
 3 portation security administration.

4 (5) A licensee who desires to donate any or all organs or tissue in the  
 5 event of death, and who has completed a document of gift pursuant to the pro-  
 6 visions for donation of anatomical gifts as set forth in chapter 34, title  
 7 39, Idaho Code, may, at the option of the donor, indicate this desire on the  
 8 driver's license by the imprinting of the word "donor" on the license. The  
 9 provisions of this subsection shall apply to licensees sixteen (16) years of  
 10 age or older but less than eighteen (18) years of age if the requirements pro-  
 11 vided in chapter 34, title 39, Idaho Code, have been complied with and the  
 12 donor indicates this desire be placed on the license.

13 (6) A licensee who is a person with a permanent disability may request  
 14 that the notation "permanently disabled" be imprinted on the driver's li-  
 15 cense, provided the licensee presents written certification from a licensed  
 16 physician verifying that the licensee's stated impairment qualifies as a  
 17 permanent disability according to the provisions of section 49-117, Idaho  
 18 Code.

19 (7) A licensee who is a veteran may request that his or her status as  
 20 such be designated on the driver's license at no additional cost. Any such  
 21 request shall be accompanied by proof of being a current or former member of  
 22 the United States armed forces. Upon request and submission of satisfactory  
 23 proof, the department shall indicate such person's status as a veteran on any  
 24 class of driver's license issued pursuant to this section. Such designation  
 25 shall be made upon original issuance or renewal of a driver's license. Des-  
 26 ignation shall also be made on any duplicate driver's license issued, pro-  
 27 vided that the fee for such duplicate driver's license is paid in accordance  
 28 with section 49-306, Idaho Code.

29 Satisfactory proof of being a current or former member of the United  
 30 States armed forces must be furnished by an applicant to the department  
 31 before a designation of veteran status will be indicated on any class of  
 32 driver's license. Acceptable proof shall be a copy of form DD214 or an equiv-  
 33 alent document or statement from the department of veterans affairs that  
 34 identifies a character of service upon separation as "honorable" or "general  
 35 under honorable conditions."

36 SECTION 2. That Section 49-2444, Idaho Code, be, and the same is hereby  
 37 amended to read as follows:

38 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
 39 The department shall issue a distinguishing identification card that shall  
 40 set forth the information contained in the application, in a form as pre-  
 41 scribed by the department. All identification cards issued on or after Jan-  
 42 uary 1, 1993, shall not contain the applicant's social security number. An  
 43 applicant's social security number shall be exempt from disclosure except  
 44 for inquiries from agencies or institutions authorized to obtain such infor-  
 45 mation by federal law or regulation, from peace officers or from jury com-  
 46 missioners. Each card shall have printed on it the applicant's full name,  
 47 date of birth, Idaho residence address, sex, weight, height, eye color, hair  
 48 color, and shall be issued a distinguishing number assigned to the appli-  
 49 cant. If an applicant has submitted an application pursuant to the provi-

1 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-  
2 tion card shall contain his or her alternative Idaho mailing address in place  
3 of his or her Idaho residence address. Each card shall also have printed on  
4 it the name of this state, the date of issuance, and the date of expiration.  
5 An identification card shall not be valid until it has been signed on the sig-  
6 nature line by the applicant. Each card shall bear upon it a color photograph  
7 of the applicant which shall be taken by the examiner at the time of appli-  
8 cation. The photograph shall be taken without headgear or other clothing or  
9 device that disguises or otherwise conceals the face or head of the appli-  
10 cant. A waiver may be granted by the department allowing the applicant to  
11 wear headgear or other head covering for medical, religious or safety pur-  
12 poses so long as the face is not disguised or otherwise concealed. At the re-  
13 quest of the applicant, an identification card may contain a statement or in-  
14 dication of the medical condition of the applicant.

15 No person shall receive an identification card unless and until he sur-  
16 renders to the department all identification cards in his possession issued  
17 to him by Idaho or any other jurisdiction, or any driver's license issued by  
18 any other jurisdiction within the United States, or until he executes an af-  
19 fidavit that he does not possess an identification card or any driver's li-  
20 cense.

21 Identification cards issued to persons under eighteen (18) years of age  
22 shall include a notation "under 18 until (month, day, year)," and identifi-  
23 cation cards issued to persons eighteen (18) years of age to twenty-one (21)  
24 years of age shall include a notation "under 21 until (month, day, year)."  
25 The nonrefundable fee for a four-year identification card issued to persons  
26 twenty-one (21) years of age or older shall be ten dollars (\$10.00) of which  
27 five dollars (\$5.00) shall be retained by the county and credited to the cur-  
28 rent expense fund, and five dollars (\$5.00) shall be deposited in the state  
29 treasury to the credit of the highway distribution account. The nonrefund-  
30 able fee for identification cards issued to persons under twenty-one (21)  
31 years of age shall be ten dollars (\$10.00), of which five dollars (\$5.00)  
32 shall be retained by the county and credited to the current expense fund, and  
33 five dollars (\$5.00) shall be deposited in the state treasury to the credit  
34 of the highway distribution account. The nonrefundable fee for an eight-  
35 year identification card shall be twenty dollars (\$20.00) of which ten dol-  
36 lars (\$10.00) shall be retained by the county and credited to the current ex-  
37 pense fund, and ten dollars (\$10.00) shall be deposited in the state treasury  
38 to the credit of the highway distribution account. At the option of the ap-  
39 plicant, the identification card issued to a person twenty-one (21) years of  
40 age or older shall expire either on the cardholder's birthday in the fourth  
41 year or the eighth year following issuance of the card, except as otherwise  
42 provided in subsection (3) of this section. Every identification card is-  
43 sued to a person under eighteen (18) years of age shall expire five (5) days  
44 after the person's eighteenth birthday, except as otherwise provided in sub-  
45 section (3) of this section. Every identification card issued to a person  
46 eighteen (18) years of age but under twenty-one (21) years of age shall ex-  
47 pire five (5) days after the person's twenty-first birthday, except as oth-  
48 erwise provided in subsection (3) of this section.

49 Individuals required to register in compliance with section 3 of the  
50 federal military selective service act, 50 U.S.C. App. 451 et seq., as

1 amended, shall be provided an opportunity to fulfill such registration re-  
2 quirements in conjunction with an application for an identification card.  
3 Any registration information so supplied shall be transmitted by the depart-  
4 ment to the selective service system.

5 (2) Every identification card, except those issued to persons under  
6 twenty-one (21) years of age, shall be renewable on or before its expiration,  
7 but not more than twenty-five (25) months before, and upon application and  
8 payment of the required fee.

9 (3) Every identification card issued to a person who is not a citizen or  
10 permanent legal resident of the United States shall have an expiration date  
11 that is the same date as the end of lawful stay in the United States as indi-  
12 cated on documents issued and verified by the department of homeland secu-  
13 rity, provided however, that the expiration date shall not extend beyond the  
14 expiration date for the same category of identification card issued to citi-  
15 zens. Persons whose department of homeland security documents do not state  
16 an expiration date shall be issued an identification card with an expiration  
17 date of one (1) year from the date of issuance.

18 (4) When an identification card has been expired for less than twenty-  
19 five (25) months, the renewal of the identification card shall start from  
20 the original date of expiration regardless of the year in which the applica-  
21 tion for renewal is made. If the identification card is expired for more than  
22 twenty-five (25) months, the application shall expire, at the option of the  
23 applicant, on the applicant's birthday in the fourth year or the eighth year  
24 following reissuance of the identification card, except as otherwise pro-  
25 vided in subsection (3) of this section.

26 (5) (a) If an Idaho identification card has expired or will expire and  
27 the identification cardholder is temporarily out of state except on ac-  
28 tive military duty, the identification cardholder may request in writ-  
29 ing on a form prescribed by the department an extension of the identifi-  
30 cation card. The request shall be accompanied by the fee fixed in sec-  
31 tion 49-306, Idaho Code, and the extension shall be no more than a twelve  
32 (12) month period. If the department determines that an extension of  
33 the identification card is necessary, it may issue an identification  
34 card showing the date to which the expired identification card is ex-  
35 tended. Identification card extensions are limited to two (2) consecu-  
36 tive extensions per identification cardholder.

37 (b) Upon returning to the state of Idaho, the identification cardholder  
38 shall, within ten (10) days, apply for a renewal of the expired iden-  
39 tification card and surrender the extended identification card and the  
40 expired identification card.

41 (6) An Idaho identification card issued to any person prior to serving  
42 on active duty in the armed forces of the United States, or a member of the  
43 immediate family accompanying such a person, if valid and in full force and  
44 effect upon entering active duty, shall remain in full force and effect and  
45 shall, upon application, be extended for a period of four (4) years so long  
46 as active duty continues, and the identification card shall remain in full  
47 force and effect sixty (60) days following the date the cardholder is re-  
48 leased from active duty.

49 (7) A person possessing an identification card who desires to donate  
50 any or all organs or tissue in the event of death, and who has completed a

document of gift pursuant to the provisions for donation of anatomical gifts as set forth in chapter 34, title 39, Idaho Code, may, at the option of the donor, indicate this desire on the identification card by the imprinting of the word "donor" on the identification card. The provisions of this subsection shall apply to persons possessing an identification card who are sixteen (16) years of age or older but less than eighteen (18) years of age if the requirements provided in chapter 34, title 39, Idaho Code, have been complied with.

(8) A person possessing an identification card or an applicant for an identification card who is a person with a permanent disability may request that the notation "permanently disabled" be imprinted on the identification card, provided the person presents written certification from a licensed physician verifying that the person's stated impairment qualifies as a permanent disability according to the provisions of section 49-117, Idaho Code.

(9) A person who is a veteran may request that his or her status as such be designated on an identification card at no additional cost. Any such request shall be accompanied by proof of being a current or former member of the United States armed forces. Upon request and submission of satisfactory proof, the department shall indicate such person's status as a veteran on any identification card issued pursuant to the provisions of this section. Such designation shall be made upon original issuance or renewal of an identification card. Designation shall also be made on any duplicate identification card issued, provided that the fee for such duplicate card is paid in accordance with this section.

Satisfactory proof of being a current or former member of the United States armed forces must be furnished by an applicant to the department before a designation of veteran status will be indicated on any identification card. Acceptable proof shall be a copy of form DD214 or an equivalent document or statement from the department of veterans affairs that identifies a character of service upon separation as "honorable" or "general under honorable conditions."

(10) In the case of a name change, the applicant shall provide legal documentation to verify the change in accordance with department rules.

(101) Whenever any person, after applying for or receiving an identification card, shall move from the address shown on the application or on the identification card issued, that person shall, within thirty (30) days, notify the transportation department in writing of the old and new addresses.

(112) The department shall cancel any identification card upon determining that the person was not entitled to the issuance of the identification card, or that the person failed to give the required and correct information in his application or committed fraud in making the application. Upon cancellation, the person shall surrender the canceled identification card to the department.

(123) If any person shall fail to return to the department the identification card as required, the department may direct any peace officer to secure its possession and return the identification card to the department.

(134) The department may issue a no-fee identification card to an individual whose driver's license has been canceled and voluntarily surrendered as provided in section 49-322(5), Idaho Code. The identification card may be

1 renewed at no cost to the applicant as long as the driver's license remains  
2 canceled.

3 (145) It is an infraction for any person to fail to notify the department  
4 of a change of address as required by the provisions of subsection (101) of  
5 this section.

6 SECTION 3. This act shall be in full force and effect on and after Novem-  
7 ber 10, 2014.